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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

- and -

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

- ☒ Affects Both Debtors
☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company

Case No. 19-30088 (DM) (Lead Case)
Chapter 11
(Jointly Administered)

**MOTION OF LEAD PLAINTIFF PURSUANT
TO B.L.R. 9006-1 TO EXTEND TIME TO
FILE RESPONSE TO CERTAIN CLAIM
OBJECTIONS**

Related Document: Dkt Nos. 14186, 14189,
14193, 14196, 14210, 14213

(No hearing set)

Public Employees Retirement Association of New Mexico (“**Lead Plaintiff**” or “**PERA**”),
the court-appointed lead plaintiff, hereby submits this Motion (the “**Motion to Extend Time**”),
pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the United States Bankruptcy Court
for the Northern District of California, for entry of an order extending the time for the Adopting
Securities Plaintiffs (defined below) and the Lead Plaintiff on their behalf to file a response to the
Claim Objections (defined below), solely with respect to the Adopting Securities Claimants. Lead

1 Plaintiff requests that the response deadline be extended by only three days, from March 12, 2024
2 to March 15, 2024, the deadline by which PERA must respond to the 33rd *Omnibus Claim*
3 *Objection* [Dkt. No. 14200] (the “**PERA Claim Objection**”). The Claim Objections are currently
4 set for hearing on March 26, 2024 at 10:00 a.m. (PT), and Lead Plaintiff also requests that the
5 hearing date be set for the same date as the PERA Claim Objection.

6 In support of this Motion to Extend Time, Lead Plaintiff submits the Declaration of
7 Michael S. Etkin (the “**Etkin Declaration**”), filed contemporaneously herewith. A proposed form
8 of order granting the relief requested herein will be uploaded contemporaneously herewith.

9 **JURISDICTION**

10 The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334,
11 the *Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges*, General Order 24
12 (N.D. Cal.), and Bankruptcy Local Rule 5011-1(a). This is a core proceeding pursuant to 28 U.S.C.
13 § 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

14 **BACKGROUND**

15 On December 13, 2023, the Reorganized Debtors filed the *Omnibus Objection to Securities*
16 *Claims (Twenty-Ninth) (Insufficient Substantive Allegations)* [Dkt. No. 14186], the *Omnibus*
17 *Objection to Securities Claims (Thirtieth) (Insufficient Substantive Allegations and Noteholder*
18 *Securities Claims)* [Dkt. No. 14189], the *Omnibus Objection to Securities Claims (Thirty-First)*
19 *(Insufficient Substantive Allegations and Securities ADR No Liability Claims)* [Dkt. No. 14193],
20 the *Omnibus Objection to Securities Claims (Thirty-Second) (Insufficient Substantive Allegations*
21 *and Voluntary Release Claims)* [Dkt. No. 14196], the *Omnibus Objection to Securities Claims*
22 *(Thirty-Sixth) (Insufficient Substantive Allegations Claims)* [Dkt. No. 14210], and the *Omnibus*
23 *Objection to Securities Claims (Thirty-Seventh) (Insufficient Substantive Allegations Claims)* [Dkt.
24 No. 14213] (collectively the “**Claim Objections**”).

25 On December 13, 2023, the Reorganized Debtors also filed the PERA Claim Objection.
26 The deadline to object to the PERA Claim Objection is currently March 15, 2024.

27 On February 9, 2024, at the request of PERA, the Court held a status conference following
28

1 entry of the Court's *Order Granting Motion for Appointment as Lead Plaintiff and Approval of*
2 *Selection of Counsel* [Dkt. No. 14300]. Following the status conference, the Court entered the
3 *Order Extending Deadline to Respond to Omnibus Objections to Securities Claims* [Dkt. No.
4 14311] (the "**February 9 Order**"). The February 9 Order extended the deadline for parties,
5 including Lead Plaintiff, to respond to the Claim Objections to March 12, 2024, and set a hearing
6 on the Claim Objections for March 26, 2024.

7 Subsequent to entry of the February 9 Order, PERA's counsel communicated with certain
8 securities claimants that were the subject of the Claims Objections through notices that were sent
9 via email and letter offering such securities claimants the opportunity to adopt PERA's third
10 amended complaint and join in Lead Plaintiff's opposition to the PERA Claim Objection in
11 opposing the Claim Objections. Such communications were consistent with the Court's directions
12 at the February 9th status conference and with the Court's relevant orders. Annexed as Exhibit A
13 to the Etkin Declaration is a list of those securities claimants that have agreed to adopt PERA's
14 third amended complaint and to rely on PERA's opposition to the Claim Objections with respect
15 to substantive federal securities laws allegations (the "**Adopting Securities Claimants**")¹.

16 Lead Plaintiff intends to file a single response to the Claim Objections, solely with respect
17 to the Adopting Securities Claimants, and to the PERA Claim Objection and all claimants subject
18 to the PERA Claim Objection. Lead Plaintiff submits that filing a consolidated response to the
19 PERA Claim Objection and to the Claim Objections, only with respect to the Adopting Securities
20 Claimants, on the same March 15, 2024 deadline established for the PERA Claim Objection, will
21 eliminate the risk to the Adopting Securities Claimants that the current three day gap creates and
22 provide a streamlined and efficient procedure for addressing the PERA Claim Objection and the
23 Claim Objections with respect to the Adopting Securities Claimants. PERA further requests that
24 any hearing to consider the Claim Objections with respect to Adopting Securities Claimants'
25 claims be scheduled for the same date as any hearing scheduled to consider the PERA Claim

26
27 ¹ Lead Plaintiff anticipates supplementing the list of Adopting Securities Claimants as further
28 responses are received over the next several days.

1 Objection.

2 On March 8, 2024, Lead Plaintiff requested that the Reorganized Debtors agree to the relief
3 requested herein. As of the date and time of filing this Motion to Extend Time, the Reorganized
4 Debtors advised that they are considering this request. Lead Plaintiff thus seeks relief from the
5 Court.

6 **A THREE DAY EXTENSION OF THE RESPONSE DEADLINE IS WARRANTED**

7 Absent a stipulation, under Bankruptcy Local Rule 9006-1(a), “approval of the Court is
8 required to enlarge or shorten time to perform any act or to file any paper pursuant to the Federal
9 Rules of Civil Procedure, the Bankruptcy Rules, or these Bankruptcy Rules.” B.L.R. 9006-1(a);
10 *see also* Fed. R. Bankr. P. 9006(b) (“[W]hen an act is required or allowed to be done at or within
11 a specific period ... by order of [the] court, the court for cause shown may at any time in its
12 discretion ... order the period enlarged ...”). Good cause exists here to approve an extension of
13 three days, from March 12, 2024 to March 15, 2024, of the Adopting Securities Claimants’ and
14 Lead Plaintiff’s response deadline to prevent any risk and prejudice to the Adopting Securities
15 Claimants with respect to the current gap between the deadlines and to streamline the process of
16 adjudicating the PERA Claim Objection and the Claim Objections.

17 The briefing and hearing schedule on the Claim Objections was previously modified once
18 by the Court in its February 9 Order, as discussed above. Lead Plaintiff has made no other previous
19 request for a modification of the briefing schedule on the Claim Objections and is not requesting
20 any adjustment with respect to the March 15 response deadline in connection with the PERA Claim
21 Objection. Lead Plaintiff also seeks to change the hearing date set by the Court on the Claim
22 Objections so as to have it coincide with the hearing date set for the PERA Claim Objection.
23 Therefore, the effect of the time modification requested herein will have no effect on the ultimate
24 schedule for the case generally.

25 **NOTICE**

26 Notice of this Motion to Extend Time will be provided to counsel to all parties receiving
27 electronic notice through the Court’s electronic filing system. Lead Plaintiff respectfully submits
28

1 that no further notice is required.

2 **CONCLUSION**

3 For the foregoing reasons, Lead Plaintiff respectfully requests that the grant this Motion to
4 Extend Time.

5 Dated: March 10, 2024

Respectfully submitted,

6 **LOWENSTEIN SANDLER LLP**

7 *Special Bankruptcy Counsel to Securities Lead*
8 *Plaintiff and the Class*

9 By: /s/ Michael S. Etkin
10 Michael S. Etkin (*pro hac vice*)

11 - and -

12 **LABATON KELLER SUCHAROW LLP**

13 *Lead Counsel to Securities Lead Plaintiff and the*
14 *Class*

15 - and -

16 **MICHELSON LAW GROUP**

17 *Local Bankruptcy Counsel to Securities Lead*
18 *Plaintiff and the Class*

19 - and -

20 **ADAMSKI, MORISKI, MADDEN,**
21 **CUMBERLAND & GREEN LLP**

22 *Liaison Counsel for the Class*

23 - and -

24 **ROBBINS GELLER RUDMAN & DOWD LLP**

25 *Counsel for the Securities Act Plaintiffs*

26 - and -

27 **VANOVERBEKE, MICHAUD & TIMMONY,**
28 **P.C.**

Additional Counsel for the Securities Act Plaintiffs